

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RLI INSURANCE COMPANY

Plaintiff

CASE NO.: 07 CIV 9546

Civil Action

-vs-

JDJ MARINE, INC.

Defendants.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Affirmation of ALAN R. OSTROWITZ, ESQ., dated December 6, 2007, the undersigned, attorneys for COMMERCE BANK, N.A., will move before this District Court for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, on the 10th day of January 2008 at 10:a.m., pursuant to Fed. R. Civ. Proc. 24(a), for an Order granting the Movant herein, COMMERCE BANK, N.A., leave to intervene as a party defendant in this matter, and for an extension of time within which said newly added defendant shall have to file an Answer with respect to the Complaint or otherwise move with respect thereto,

together with such other an further relief as, to the Court, may seem
just and proper.

Dated: December 7, 2007

OSTROWITZ & OSTROWITZ, ESQS.
Attorney for movant
COMMERCE BANK, N.A.

/s/ ALAN R. OSTROWITZ (AO 7173)

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